

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

EDWARD J. CARCICH and JENNIE
VEGA-CARCICH,

Plaintiffs,

vs.

CITIMORTGAGE, INC.; and
NORTHWEST TRUSTEE SERVICES,
INC.,

Defendants.

NO. CV-10-0429-LRS

ORDER DISMISSING COMPLAINT WITHOUT
PREJUDICE

BEFORE THE COURT is Plaintiffs Edward Carcich and Jennie Vega-Carcich's Motion for Nonsuit pursuant to Fed. R. Civ. P. 41(a). Defendant's do not oppose Plaintiff's Motion for Nonsuit; however, a stipulation of dismissal has not been signed by both parties.

Accordingly, the court is exercising its discretion under Fed. R. Civ. P. 41(a)(2) to dismiss without prejudice.

IT IS ORDERED Plaintiff's Motion (Ct. Rec. 46) is **GRANTED** and the Complaint is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, enter judgment of dismissal without prejudice, provide copies to counsel and pro se plaintiffs, and close the file.

DATED this 7th day of November, 2011.

s/Lonny R. Suko

LONNY R. SUKO
UNITED STATES DISTRICT JUDGE

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